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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,900	02/23/2004	Nelson Scarborough	22416-015001/PT2654USNP	5935
26166 7590 11/02/2009 FISH & RICHARDSON P.C. SMITH & NEPHEW, INC. 150 Minuteman Road Andover, MA 01810				
EXAMINER GILBERT, ANDREW M				
ART UNIT		PAPER NUMBER		
3767				
MAIL DATE		DELIVERY MODE		
11/02/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Rule 312 Communication	Application No.	Applicant(s)
	10/782,900	SCARBOROUGH ET AL.
	Examiner	Art Unit
	ANDREW M. GILBERT	3767

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 13 October 2009 under 37 CFR 1.312 has been considered, and has been:

- a) ☒ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) ☐ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

Newly submitted claims 85 and 86 have been entered pursuant to MPEP 809 and 821.04(a) for rejoinder as the claims are the subject matter of previously-pending claims 42 and 43 which were cancelled instead of being rejoined as being dependent upon an allowed generic claim 8.

/Kevin C. Simons/
Supervisory Patent Examiner, Art Unit 3767

/Andrew M Gilbert/
Examiner, Art Unit 3767